

(Legislative Supplement No. 22)

LEGAL NOTICE No. 86

THE CONSTITUTION OF KENYA

NEW SESSION OF PARLIAMENT

PROCLAMATION

L. S.

By His Excellency the Honourable Mzee Jomo Kenyatta,
President and Commander-in-Chief of the Armed
Forces of the Republic of Kenya.

IN EXERCISE of the powers conferred by section 58 (1) of the Constitution of Kenya, I do hereby appoint that a new Session of Parliament shall be held at Parliament Buildings in Nairobi and shall begin on the 8th June, 1976, at 2.30 o'clock in the afternoon.

Given under my hand and the public seal of Kenya this 27th day of May, 1976.

JOMO KENYATTA,
President.

LONG LIVE THE REPUBLIC

LEGAL NOTICE No. 87

THE TRAFFIC ACT

(Cap. 403)

IN EXERCISE of the powers conferred by section 72J of the Traffic Act, the County Council of Taita-Taveta hereby makes the following By-laws:—

THE TAITA-TAVETA COUNTY COUNCIL (PARKING PLACES AND OMNIBUS STATIONS) BY-LAWS, 1976

1. These By-laws may be cited as the Taita-Taveta County Council (Parking Places and Omnibus Stations) By-laws, 1976. Citation.

2. In these By-laws, unless the context otherwise requires— Interpretation.

“clerk” means the person for the time being holding the office of the clerk of the Taita-Taveta County Council, the deputy clerk or any other person authorized by the Council in writing to act as a clerk or a deputy clerk for the purposes of these By-laws;

“council” means the Taita-Taveta County Council;

Cap. 403. "omnibus" means a public service vehicle licensed under Part XI of the Act to carry more than seven passengers exclusive of the driver, and includes any motor-car having seating accommodation for not more than ten passengers exclusive of the driver;

"omnibus station" means any of the omnibus stations provided by the council at the township of Voi and Taveta and the trading centres of Wundanyi and Mwatate for affording facilities for the arrival and departure of omnibuses;

"park" means to draw up a vehicle and leave the same stationary in a street or other public place, for a continuous period exceeding five minutes;

"vehicle" includes any motor vehicle, motor cycle, tractor, trailer, wagon, cart, hand cart or pedal cycle.

Place of starting and terminating journey.

3. (1) No driver of an omnibus when carrying a passenger for hire or reward shall, without the prior written permission of the clerk, start or terminate any journey at any place other than an omnibus station.

(2) Any person who contravenes this by-law shall be guilty of an offence.

Parking place.

4. (1) No omnibus, whilst being plied for hire or reward, shall, without the prior written permission of the clerk, be parked in any place other than an omnibus station:

Provided that nothing in this by-law shall apply to any omnibus stopping at any place appointed as such under section 102 (4) of the Act.

Cap. 403.

(2) Any person who contravenes this by-law shall be guilty of an offence.

Persons to wait in a queue.

5. When six or more persons are waiting to enter an omnibus at an omnibus station they shall form a queue and any person who enters or attempts to enter an omnibus ahead of any person in such a queue shall be guilty of an offence.

Conduct at omnibus station.

6. (1) No person who is at an omnibus station shall—

(a) wilfully and unreasonably impede any other person seeking to enter an omnibus or to alight therefrom; or

(b) enter or alight from, or attempt to enter or alight from, an omnibus otherwise than by the door or opening provided for the purpose of entering, or alighting from, an omnibus; or

(c) wilfully and unreasonably obstruct or impede any authorized person in the performance of his lawful duty.

(2) Any person who contravenes this by-law shall be guilty of an offence.

Fees.

7. (1) An owner of an omnibus shall pay to the council in advance the appropriate fees prescribed in the Schedule for the use of an omnibus station.

(2) For the purpose of this by-law any omnibus driven into an omnibus station shall be deemed to be using the omnibus station, if the omnibus is not driven into the omnibus station in an emergency or other reasonably compelling circumstances, for a reasonable time.

(3) Subject to paragraph 2, any person who drives an omnibus into an omnibus station when the fee due in respect thereof has not first been paid, shall be guilty of an offence.

8. (1) The council shall provide parking places, and may prohibit the parking of vehicles, on roads and other appropriate places whenever it is necessary so to do.

Council to provide parking places.

(2) Any person who draws up or parks any vehicle on any road otherwise than in circumstances outside his control—

- (a) where parking is prohibited; or
- (b) otherwise than in accordance with a parking sign; or
- (c) for a longer period than allowed.

shall be guilty of an offence.

9. (1) No person shall, except in an emergency, park, construct, repair, take down, assemble, or wash, polish or clean any vehicle or part thereof in any parking place or in an omnibus station in such a manner as to cause an obstruction.

Parking, construction, repair, etc., not to cause obstruction.

(2) Any person who contravenes this by-law shall be guilty of an offence.

10. (1) No person shall park any broken down vehicle in any parking place or omnibus station so as to cause any public nuisance or obstruction except in an emergency, and in such a case the vehicle shall be removed from the parking place or omnibus station as soon as possible.

Parking of broken down vehicle.

(2) Any person who contravenes this by-law shall be guilty of an offence.

11. Any person who is guilty of an offence under these By-laws shall be liable—

Penalty.

(a) in the case of a first conviction for such offence, to a fine not exceeding five hundred shillings, or imprisonment for a term not exceeding two months, or to both such fine and imprisonment;

(b) in the case of a second or subsequent conviction for such offence, to a fine not exceeding one thousand shillings; or imprisonment for a term not exceeding four months, or to both such fine and imprisonment.

SCHEDULE

(By-law 7 (1))

ANNUAL FEES FOR USE OF OMNIBUS STATIONS

	<i>Sh.</i>
1. For each omnibus with carrying capacity of over 40 passengers	100
2. For each omnibus with carrying capacity of under 40 passengers and not less than 28 passengers	60

SCHEDULE—(Contd.)

	<i>Sh.</i>
3. For each omnibus with carrying capacity of under 28 passengers and not less than 12 passengers	40
4. For each omnibus with carrying capacity of under 12 passengers	35

Made this 14th day of May, 1976.

By Order of the Taita-Taveta County Council.

G. M. MJOMBA,
Clerk to the Council.

Approved this 14th day of May, 1976.

R. S. MATANO,
Minister for Local Government.